

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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RED APPLE 86 FLEET PLACE
DEVELOPMENT, LLC,

Plaintiff,

22 **CIVIL** 5582 (JSR)

-against-

JUDGMENT

STATE FARM FIRE AND CASUALTY
COMPANY and ALE SOLUTIONS, INC.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated August 30, 2023, the Court has reconfirmed and supplemented its "bottom-line order" of November 25, 2022, ECF No. 37, which granted defendant State Farm's motion to dismiss Counts II-V against it, ECF No. 19, granted defendant ALE's motion for judgment on the pleadings for both counts against it, ECF No. 22, and denied plaintiff Red Apple's motion for leave to amend the complaint, ECF No. 33. As for the sole remaining claim, breach of contract against State Farm, the Court has now granted State Farm's motion for summary judgment, ECF No. 38, and has denied Red Apple's motion for summary judgment, ECF No. 45. Final judgment is entered and the case is dismissed.

Dated: New York, New York
August 31, 2023

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk